

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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**COMMISSION FINDS TURLOCK PLANT IN VIOLATION OF FAIR EMPLOYMENT
AND HOUSING ACT IN SEXUAL ORIENTATION HARASSMENT CASE**

Sacramento – The Department of Fair Employment and Housing (DFEH) today announced that the Fair Employment and Housing Commission (FEHC) has awarded a Turlock man \$80,000 in emotional distress damages for harassment he suffered while employed at a Turlock dairy manufacturing plant.

The Commission found that the victim, who identifies himself as homosexual, was subjected to instances of verbal harassment and offensive physical conduct by coworkers over a two-year period. Testimony from plant employees that engaged in the conduct substantiated the victim's claims of name calling, requests to engage in sexual conduct, suggestively grabbing the victim's or offenders' body parts, and questions about the victim's sexual orientation and sex practices. Although the victim repeatedly complained to his supervisor and the plant manager, the Commission found that the company failed to conduct a prompt investigation or to take appropriate corrective action to stop the harassment.

"This Commission decision sends a clear message to California employers: you have an undeniable responsibility to insure that the workplace is free of harassment and discrimination," said DFEH Director Dennis Hayashi. "All employees, regardless of sex or sexual orientation, should be reassured that their employer will take immediate steps to investigate and eliminate complaints of harassment or discrimination whenever it is brought to their attention. The award in this case further emphasizes that employers will be held liable for conduct of supervisors and managers who fail to take this responsibility seriously."

In addition to the monetary damages, the Commission also ordered the company to develop and disseminate a written policy against harassment, provide training on the policy to employees and managers, and post notices acknowledging the employer's violation of the Fair Employment and Housing Act (FEHA) and informing employees of their rights under the FEHA. California law allows the employer to appeal the decision.

More information about DFEH and its services may be obtained by calling:

(800) 884-1684	Employment, public accommodation, hate violence
(800) 233-3212	Housing
(800) 700-2320	TTY

or by accessing DFEH's website at www.dfeh.ca.gov.

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